

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

Case No. 22-20645

v.

Hon. George Caram Steeh

ALLEN WALTER EARL,

Defendant.

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ORDER DENYING MOTION FOR
COMPASSIONATE RELEASE (ECF No. 35)

Defendant Allen Walter Earl was sentenced to a term of 60 months of imprisonment in August 2023. The court recommended that he be housed at the Federal Medical Center in Butner, North Carolina, due to his serious medical issues. For several months, Defendant was temporarily held at the Livingston County Jail. While at the Livingston County Jail, Defendant filed a motion for compassionate release, contending that he was not receiving necessary medical care.

After he filed his motion, Defendant was transferred into the custody of the Bureau of Prisons and assigned to the facility at FMC Butner. Now that Defendant has been transferred, his motion regarding that lack of medical care at the Livingston County Jail is moot. *See, e.g., United States*

v. Phillips, 2023 WL 2898452, at *5 (W.D. Ky. Apr. 11, 2023) (“Because Defendant is no longer housed at Grayson, the Court considers such facility specific arguments moot and does not further consider them.”); *United States v. Mathews*, 2023 WL 5924411, at *3 (S.D. Ohio Sept. 12, 2023) (“[D]efendant’s grounds compassionate release are moot now that defendant has been transferred to FCI Victorville.”).

Therefore, IT IS HEREBY ORDERED that Defendant’s motion for compassionate release is DENIED AS MOOT.

Dated: February 8, 2024

s/George Caram Steeh
HON. GEORGE CARAM STEEH
UNITED STATES DISTRICT JUDGE

CERTIFICATE OF SERVICE

Copies of this Order were served upon attorneys of record on February 8, 2024, by electronic and/or ordinary mail and also on Allen Walter Earl # 13027-510, FCI Butner Low, Federal Correctional Institution, P.O. Box 999, Butner, NC 27509.

s/LaShawn Saulsberry
Deputy Clerk